

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 529282001700 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/538499 Not Yet Assigned
INTERNATIONAL APPLICATION NO. PCT/AU2003/001661	INTERNATIONAL FILING DATE 11 December 2003	PRIORITY DATE CLAIMED 11 December 2002
TITLE OF INVENTION PYRAZINE-BASED TUBULIN INHIBITORS		
APPLICANT(S) FOR DO/EO/US Christopher John BURNS et al.		

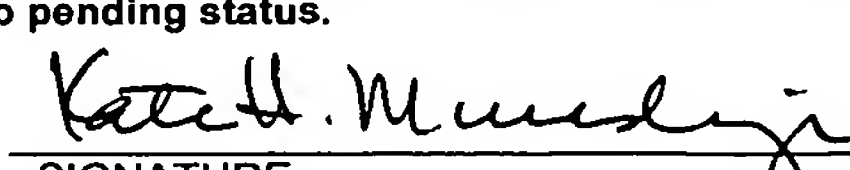
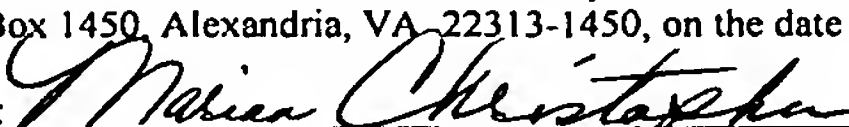
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment (10 pages).
14. ☒ An Application Data Sheet under 37 CFR 1.76 (2 pages).
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13~~ter~~.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Return Receipt Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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The following fees have been submitted			CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee \$300			\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100				
All other situations \$200			\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100				
International Search Report prepared and provided to the Office \$400				
All other situations \$500			\$ 500.00	
TOTAL OF 21, 22 and 23 =			\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
67 - 100 =	/50 =		x \$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	16 - 20 =		x	\$ 0.00
Independent claims	1 - 3 =		x	\$ 0.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	\$
TOTAL OF ABOVE CALCULATIONS =			\$ 1,000.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			\$ 500.00	
SUBTOTAL =			\$ 500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).			+	\$
TOTAL NATIONAL FEE =			\$ 500.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$
TOTAL FEES ENCLOSED =			\$ 500.00	
			Amount to be refunded:	\$
			Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u> . A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Kate H. Murashige Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500 San Diego, California 92130 Telephone: (858) 720-5112 CUSTOMER NUMBER: 25225			 SIGNATURE: Kate H. Murashige NAME 29,959 REGISTRATION NUMBER	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 272 143 830 US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.				
Dated: June <u>9</u> , 2004 Signature:  Marian Christopher				